

of us here carry that says, "The President shall have the power to grant reprieves and pardons for offenses against the United States."

You notice, Mr. Speaker, it doesn't give any conditions, except he can't pardon someone who has been impeached. It doesn't require that a committee decide who is to be pardoned. It doesn't require that the Justice Department do anything or be even involved in the process. It gives the power of pardon and commutation to the President; and he has that right to pardon anyone he wishes, and I uphold his right to do so.

But in jail today in the Federal penitentiary somewhere across our United States are two individuals who I think should be pardoned, or at least their sentences should be commuted. And numerous people on the House, on both sides, have asked the President to look at these cases and pardon these two individuals, especially in light of their appellate court hearing that took place just a few weeks ago in the Fifth Circuit Court of Appeals in New Orleans, Louisiana. Of course, those two people are Border Agents Ramos and Campion, who I feel like were unjustly convicted by an overzealous prosecution, a comment that was made by one of the Federal judges on appeal, "overzealous prosecution."

But be that as it may, and it seems to me that they have been imprisoned a year now, most of that time they have been serving solitary confinement. For what crime? Well, because they supposedly violated the civil rights of a drug smuggler bringing drugs in from Mexico worth about \$1 million. And the United States Government, rather than prosecute the drug dealer, prosecuted the Border Agents because they didn't follow policy, protocol, filling out appropriate forms after this shooting took place. But they go make a deal with the drug dealer. They make a deal with the devil, and they get testimony from the drug dealer in their trial. Talking about the Federal prosecution made a deal with him.

But, you see, that whole case kind of has some bad things that happened. We had learned, several of us, that while the drug dealer, granted immunity, that means they are not going to prosecute him, to testify, and before the trial took place, he brought in another load of drugs from Mexico to the United States worth about \$700,000.

The U.S. Attorney's Office, in a carefully worded propaganda piece, denied that that ever occurred. But since we saw, and I have seen the DEA report, we knew a second drug deal took place. And now, finally, after this took place and many of us knew about it, the Federal Government has decided to prosecute the drug dealer on that second case; conspiracy to import drugs into the United States, and charging a new indictment with three offenses, conspiracy to commit crimes against the United States.

So the Federal Government makes a deal with the drug dealer. He brings in drugs after the deal is made. Now he is in jail. And it seems to me, justice would demand that these two Border Agents be released at least until this appeal is over with. But I think they should have their sentences commuted or even they should be pardoned by the President.

But I say all that to say the bureaucrats say, Oh, these two Border Agents haven't followed protocol. They haven't applied the right way, they haven't filled out the right forms for a pardon and a commutation of sentence. Well, the Constitution that I just read doesn't require forms to be filled out for people in prison to get a pardon. I don't remember Mr. Scooter Libby filling out some kind of form to get a pardon. He didn't even ever go to jail. He just got a Get Out of Jail Free card. He was pardoned. The President had the absolute right to do that. I don't quarrel with that. President Nixon got an absolute pardon by President Ford. He didn't fill out any forms to get that pardon.

So, Mr. Speaker, I recommend and urge the President to commute the sentences of these two Border Agents. And he can do it on his own. He doesn't need permission from some bureaucracy, and I hope he does so and does so quickly.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas (Mr. SNYDER) is recognized for 5 minutes.

(Mr. SNYDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

DRUG SENTENCING REFORM AND COCAINE KINGPIN TRAFFICKING ACT OF 2007; AND YOUTH VIOLENCE

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise this evening for two important matters. And I believe that when we listen to our colleagues speak about fairness, as my good friend from Texas, Congressman POE, just did, I happen to agree with him that there are instances where we must respond to the unfairness of the justice system in the instance of these two Border Patrol agents who are incarcerated while the drug dealer goes free. But there are also commonsense approaches that we must make to address the question of the overall unfairness in the system.

Today, I introduce H.R. 4545, which is the Drug Sentencing Reform and Cocaine Kingpin Trafficking Act of 2007, and it responds to the cry of the U.S. Sentencing Commission and the U.S. Supreme Court, by no means liberal bastions, that have argued and have

been convinced that the disparities in sentencing between crack cocaine and cocaine is patently unconstitutional and unfair. And it was the Supreme Court on December 10 that restored the broad authority of Federal District judges to sentence outside the sentencing guidelines and impose shorter and more reasonable prison sentences for persons convicted of offenses involving crack cocaine.

Right now, we know it takes \$20,000 to incarcerate someone in the prison. But these justices and the U.S. Sentencing Commission said that it is important to end the disparity and not to give more for crack used, unfortunately, by the poorest of Americans, and allow those who use the high-priced cocaine, not really that different, to get off almost scot-free.

This bill tracks the Supreme Court decision, but, more importantly, it includes an offender drug treatment incentive grant program, and it places and increases an emphasis on certain abrogating factors such as selling drugs to children. And it has penalties for the real bad guys, and those are the major drug traffickers.

We must get a grip on the inequity of the justice system that allows some who can sit in their living room and smoke cocaine to get off easier than those who are on the streets with crack. We want to get rid of all uses of drugs, but we have to be fair in the justice system.

I also rise, Mr. Speaker, and I hope my colleagues will join me in cosponsoring H.R. 4545. We introduced it today with 20 sponsors, including a member of the leadership, and we are grateful and hopeful that we will get a hearing on this legislation. But I also join my good friend, Congressman JOHN LARSON, to be able to step on the line, to stomp out the violence that our children are participating in.

Some few years ago, I was on the select committee against violence headed by my former colleague Martin Frost. Let me just say to you that homicide is the second leading cause of death among 15- to 24-year-olds. Twenty-seven thousand young African Americans were murdered in this country over the last 5 years of the Iraq war; there have been fewer than 1,500 killed in Iraq. The murder of a teenager costs about \$1 million in loss and accrued costs. A teenager disabled by gunshot costs about \$2 million. Seventy-one percent of police chiefs and sheriffs and prosecutors nationwide agree that there must be programs for preschool children and after-school programs. But, more importantly, parents and teachers and the faith community and Members of Congress must stand against this violence.

The killing of Sean Taylor by those under 20 years old. The killing of Deputy Constable in my district, Odom, whose funeral I went to, killed by those who were 11th and 12th graders in one of Houston's high schools.

We have to stand and denounce violence, but we must intervene with